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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Confirmation No.: 4894

Shinichi UEDA et al.

Group Art Unit: 2612

Serial Number: 10/677,738

Examiner: YANG, Clara I.

Filed: October 3, 2003

Atty. Docket No. 107348-00365

For: VEHICULAR REMOTE CONTROL SYSTEM

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

MAIL STOP ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: September 21, 2006

Sir:

This is in response to the Notice of Abandonment (copy attached) that was mailed from the U.S. Patent and Trademark Office to the firm of Arent Fox PLLC on August 28, 2006.

The Notice of Abandonment indicates the above-identified application is abandoned because corrected drawings were not timely filed with payment of the Issue Fee due July 19, 2006.

However, Applicants respectfully request the Commissioner withdraw the holding of abandonment of the above-referenced application as replacement Figures 1 and 2, together with the Issue Fee and Issue Fee Part B Transmittal, were timely filed in the U.S. Patent Office on July 11, 2006 in response to the Notice of Allowance dated April 19, 2006.

For the convenience of the Commissioner, copies of the Issue Fee Part B Transmittal, replacement Figs. 1 and 2, and check receipt no. 449529 are attached.

Furthermore, Applicants also submit a copy of the PTO date-stamped postcard evidencing receipt by the Patent Office of the documents filed on July 11, 2006, as well as a copy of our internal docket book record.

Any fees associated with this communication should be waived since the evidence submitted herewith shows that the Applicants timely filed a response to the April 19, 2006 Notice of Allowance and that the application should not have been deemed abandoned.

Should withdrawal from abandoned status not be granted immediately, this Petition should be considered to be a petition to the Commissioner under 37 C.F.R. 1.181-1.183, including a petition that all fees in connection therewith be waived because it is clear that the Applicants are not at fault in this matter.

Should any such Petition under 37 C.F.R. 1.181-1.183 not immediately be granted, this Request should be considered to be a Petition under 37 C.F.R. 1.137(a) or 1.137(b), including a petition that all fees in connection therewith be waived because it is clear that the Applicants are not at fault in this matter.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 01-2300, **referencing Docket No. 107348-00365**. A duplicate copy of this Petition is attached.

U.S. Patent Application Serial Number
Attorney Docket Number

Should the appropriate official of the U.S. Patent and Trademark Office have any questions, that official is requested to telephone the Applicant's undersigned attorney.

Respectfully submitted,
ARENT FOX PLLC



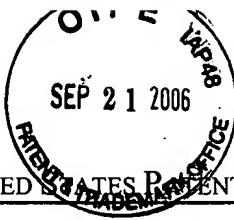
Murat Ozgu
Registration No. 44,275

Enclosures: Notice of Abandonment
Issue Fee Part B Transmittal
Replacement Figs. 1 and 2
Check Receipt No. 449529
PTO Date-Stamped Postcard
Internal Docket Book Record
Duplicate Copy of Petition to Withdraw Holding of Abandonment

Customer No. 004372

1050 Connecticut Avenue, N.W., Suite 400
Washington, D.C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810

MO/elp



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/677,738 | 10/03/2003 | Shinichi Ueda | 107348-00365 | 4894 |

4372 7590 08/28/2006
ARENT FOX PLLC
1050 CONNECTICUT AVENUE, N.W.
SUITE 400
WASHINGTON, DC 20036

EXAMINER

YANG, CLARA I

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2612

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Abandonment



Application No.

10/677,738

Examiner

YANG

Applicant(s)

UEDA

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☒ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☒ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

lgd

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Attachment to Notice of Abandonment

For questions concerning the notice contact

Office of Patent Publication

Image Assistance Center: 888-786-0101.

Information is also available on the USPTO Internet web site:
<http://www.uspto.gov/web/patents/pubs/abandonnotice.html>

Respond to the Notice of Abandonment by one of the following:

1. Petition To Withdraw Holding of Abandonment (See MPEP 711.03(c) I and 37 CFR § 1.181) No fee required

Where an applicant contends that the application is not in fact abandoned (e.g., a reply was in fact filed), a petition under 37 CFR § 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action. Any petition under 37 CFR § 1.181 to withdraw the holding of abandonment not filed within 2 months of the mail date of a Notice of Abandonment may be dismissed as untimely under 37 CFR § 1.181(f). In order for a petition to be granted, the evidence must be sufficient according to 37 CFR § 1.8(b) Certificate of Mailing, 37 CFR § 1.10 "Express Mail" mailing or MPEP 503 Postcard Receipt as Prima Facie Evidence. The petition should be addressed as follows:

By mail: Mail Stop: Issue Fee, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
By facsimile: 703-872-9306

2. Petition To Withdraw Holding Of Abandonment Based On Failure To Receive Office Action (MPEP 711.03(c) II and 37 CFR § 1.181). No fee required

Where an applicant contends that the original Notice of Allowance and Fee(s) Due was never received, if adequately supported, the Office may grant the petition and remail the Office action. The showing required establishing non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement.

Petition should be addressed to the Technology Center handling the application as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
By facsimile: 703-872-9306

3. Petition To Revive An Abandoned Application (See MPEP 711.03(c) III)

Where there is no dispute as to whether an application is abandoned (e.g., the applicant's contentions merely involve the cause of abandonment) a petition under 37 CFR § 1.137 (a) or (b) (accompanied by the appropriate petition fee) is necessary to revive the abandoned application. The text of these rules is available on the USPTO Internet Web site. Forms for these petitions, "Petition For Revival Of An Application For Patent Abandoned Unavoidably Under 37 CFR § 1.137(a)," PTO/SB/61, and "Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b)," PTO/SB/64, are available in the forms section of the USPTO website: <http://www.uspto.gov>.

Petitions under 37 CFR § 1.137 should be addressed to the Office of Petitions as follows:

By mail: Mail Stop Petition, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
By facsimile: 703-872-9306

Note: Abandonment takes place by operation of law for failure to reply to an Office action or timely pay the issue fee, not by operation of the mailing of a Notice of Abandonment

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

004372 7590 04/19/2006

ARENT FOX PLLC
1050 CONNECTICUT AVENUE, N.W.
SUITE 400
WASHINGTON, DC 20036



Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

| |
|--------------------|
| (Depositor's name) |
| (Signature) |
| (Date) |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/677,738 | 10/03/2003 | Shinichi Ueda | 107348-00365 | 4894 |

TITLE OF INVENTION: VEHICULAR REMOTE CONTROL SYSTEM

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO | \$1400 | \$300 | \$1700 | 07/19/2006 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|---------------|----------|----------------|
| YANG, CLARA I | 2612 | 340-005610 |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. ARENT FOX PLLC

2. _____

3. _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

1) HONDA MOTOR CO., LTD.

1) Tokyo, Japan

2) MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.

2) Osaka, Japan

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☒ Publication Fee (No small entity discount permitted)
- ☒ Advance Order - # of Copies Ten (10)

4b. Payment of Fee(s):

- ☒ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 01-2300 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Murat Ozgu

Date July 11, 2006

Typed or printed name

Murat Ozgu

Registration No. 44,275

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Arent Fox PLLC

449529

07/11/06

Remittance Advice

COMM. OF PATENTS & TRADEMARKS

3148

CHECK NO: 449529

| DATE | INVOICE NUMBER | DESCRIPTION | G/L AND MATTER # | AMOUNT | INVOICE TOTAL |
|------------|-------------------|--|---------------------|--------|------------------|
| 07/11/2006 | 11JUL06K | GOVERNMENT FEES - 107348.00365, FILING FEES | | | 1,730.00 |
| | | | | TOTAL: | \$1,730.00 |

BEST AVAILABLE COPY

PAYMENT OF ISSUE FEE

Attorney Docket No.: 107348-00365

U.S. Patent Appln. No.: 10/677,738

Filed: October 3, 2003

Applicants: Shinichi UEDA et al

Papers filed herewith on: July 11, 2006

Check No. 449529 **in the amount of:** \$ 1730.00

The following papers are attached: Issue Fee Part B Transmittal;
Formal Drawings



COMMISSIONER OF PATENTS

MO/cp

July 11, 2006

JULY 11, 2006 CONTINUED

108421-00066 AUSA/AM 10/363,129 SECOND AMENDMENT AND RESPONSE
 108421-00009 AUSA/AM 09/592,254 AMENDMENT AND RESPONSE
 108060-00076 MLC/KGM 10/304,764 RCE/215/508/57073
 107348-00275 AUSA/AM 10/239,872 EXT/REE/AMENDMENT
 107348-00005 MO/OP 10/671,738 Payment of Issue fee Part B Transmitted
 107348-00037 AEO/OP 10/805,165 Payment of Issue fee Part B Transmitted
 028331-00006 COM/INSP 11/005,163 IDS, PTO-SB088, 1 Ref. signed Ref. 01
 100021-00052 COM/INSP 10/132,045 IDS, PTO-SB088, 3 Refs., 1 signed R
 103213-00041 MO/CS 09/971,054 Issue and Publication fee, Part B Transmitted
 108060-00139 COM/CS 11/227,202 IDS, Extended European Search Report, Form PTO-SB089, Ref. 02
 027667-00009 COM/CS 11/437,872 Response to NTFMP, Copy of NTFMP, Declaration, Claim for Priority, Priority Dec. (2), Form 1595 w/Assignment
 108075-00171 COM/INSP 11/225,186 Supplemental Amendment/DRAWINGS (25)
 107348-00017 COM/INSP 10/852,519 Issue fee
 025721-00006 COM/INSP 10/976,167 Issue fee
 108421-00060 MO/EDU New App'n., Transm. Letter, Spec. (34 pgs), Drawings (8 sheets), Declaration, Assign. w/coversheet, Priority Dec. (2) IDS w/PTC
 026974-00014 COM/INSP New App's Spec (27 pgs.) / Dec. Assign. w-1595 / Drawgs. (20 sheets) / ISS PTO-SB088/4 Refs. / International
 107337-00021 COM/INSP Information Disclosure Statement
 #107150-00389 G60/OP New Application Trans. Spec. & Drawings Declaration / Priority Document / IDS w/2 references / PTO-1595 w/Assignment

July 12, 2006

108421-00073 MO/OP 10/432,607 Response
 107150-00279 MO/OP 11/074,636 Response w/extended tr. of JP 2004-067170
 108421-00057 COM/INSP 7,056,615 02 FAIF
 100341-09004 COM/INSP 7,061,544 61 FAIF
 107348-00413 COM/INSP 7,055,488 02 FAIF
 107350-00009 MO/INSP 7,060,990 02 FAIF
 023855-00002 OX/INSP 10/870,001 Response to Rejection Under 37 CFR § 1.121
 107348-00394 OX/INSP 10/769,954 Response to Rejection Under 37 CFR § 1.121
 107346-00036 COM/EDU New DIV App'n., Spec. (36 pgs.), Dec., Drawings (19 sheets), Prelim. Amend. & IDS w/PTO-SB089
 107337-00007 COM/EDU New App'n., Transm. Ltr., Spec. (38 pgs.), Drawings (9 sheets), Declaration, Assign. w/coversheet, PTO
 107101-00074 MLI/INSP 08/925,711 3 R.O.D.